**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
ORDINARY ORIGINAL CIVIL JURISDICTION

**WRIT PETITION NO.2853 of 2003**

Kishore Dattatraya Keni.....Petitioner

Versus

Maharashtra Housing & Area
Development Authority & Ors...Respondents

Mrs.Madhuri Sanjay Gavkar, representative of petitioner
present in person
Ms. Geetanjali Prabhu, A.G.P. for Respondent No.1.

**CORAM: F.I. REBELLO & S.P.KUKDAY, JJ.**
**DATE : 25th April,2005**

. Counsel on record states that Mrs. Madhuri Sanjay Gavkar has informed her that the petitioner wants to change the Counsel. Mrs. Madhuri Sanjay Gavkar is present in the Court. We find that on 29th July, 2004 the record shows that the petitioner appeared in person and at their request the matter was adjourned. Thereafter the matter came up before this Bench on 16th March, 2003. At the request of the petitioner again the matter was adjourned once again to 22nd March, 2005. The petitioner appeared in person sought adjournment, the adjournment was granted. Similarly on 19th April, 2005. Today when matter comes up same statement is made that they want to engage another Advocate. The petitioner had sufficient time if they wanted to engage another lawyer.

2. There is an order of this Court dated 29th January, 2004 whereby the respondent No.1 had agreed to give the petitioner fresh hearing. Counsel appearing for the respondent No.1 states that fresh hearing has been given and a speaking order has been passed which has been communicated to

the petitioner.

3. If that be the case, that would be a fresh cause of action. It will be open to the petitioner to challenge that order independently, if he is so advised and therein raise all points including the points raised herein. With the above observation petition stands disposed of.

**(F.I.REBELLO, J.)**

**(S.P. KUKDAY, J.)**